

MEMO ENDORSED

April 22, 2024

VIA ECF

Hon. Valerie E. Caproni
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square, Room 240
New York, NY 10007

USDC SDNY
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RE: Bascom v. The City of New York, et. al.
SDNY Case No. 1:23-cv-10898-VEC

Dear Judge Caproni,

This office represents Defendant City of New York, (sued herein as City of New York and New York City Dept. of Youth and Community Development). We write, with consent of counsel for co-Defendants New York City Department of Education (“DOE”) and New York Edge, to respectfully request a two-week extension to file a stipulation of dismissal of the cross-claims asserted against Defendant City of New York. Pursuant to Your Honor’s Individual Practice Rule 1.C, the City of New York states as follows in support of this application.

On March 11, 2024, the City Defendant filed a motion to dismiss the federal claims pursuant to Fed. R. Civ. P 12(b)(6) and remand of the state law claims to state court. (Dkts. 15-16). That same day, co-Defendants DOE and New York Edge filed their Answer to Plaintiff’s Complaint and inserted a cross-claim against the City Defendant. (Dkt. 19).

Counsel for all defendants have executed the attached stipulation withdrawing cross-claims against the City of New York. As of the afternoon of April 22, 2024, the deadline set by Your Honor, we have not been able to secure Plaintiff’s signature as required.

Accordingly, due to the above, Defendants request a two-week extension to file the stipulation dismissing the cross-claim against the City of New York to May 6, 2024.

We thank the Court for its attention to this matter.

Respectfully,

HARRIS BEACH, PLLC

*Attorney for Defendant City of New York
and New York City Department of Youth and
Community Development*

By: /s/ Andrew Orenstein

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AJO:ss

Enclosure.

cc: All Counsel (*via ECF*)

Application GRANTED. The City Defendant's response to co-Defendants' cross-claim has been extended to May 6, 2024.

SO ORDERED.

4/22/2024



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY BASCOM, individually and on behalf of his minor
children, M. BASCOM and N. BASCOM,

Plaintiff,

-against-

CITY OF NEW YORK, NEW YORK CITY DEPARTMENT
OF EDUCATION, NEW YORK CITY DEPARTMENT OF
YOUTH AND COMMUNITY DEVELOPMENT, NEW YORK
EDGE, and JOHN/JANE DOE 1-5,

Defendants.

Case No. 1:23-cv-10898(VEC)

**STIPULATION OF
VOLUNTARY
DISMISSAL PURSUANT TO
FED. R. CIV. P. 41(a)(1)(A)(ii)
and 41(c)(2)**

It is hereby stipulated by and between the parties having appeared in this action:

1. The New York City Department of Education and New York Edge defendants cross-claims asserted against the City of New York and New York City Department of Youth and Community Development defendants are hereby withdrawn.

Dated: April 22, 2024
White Plains, New York

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